

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DENNIS BUCHANAN,)	
)	
Plaintiff)	
)	No. 3:11-0265
v.)	Magistrate Judge Brown
)	Jury Demand
CITY OF MT. JULIET,)	
)	
Defendants)	

O R D E R

A telephone conference was held at the request of the parties concerning the scope of the case and the handling of certain evidence. The parties have agreed that the Plaintiff's claims involve his termination on March 26, 2010. If a wrongful termination is found then the issue of whether there could be a termination for later discovered evidence would become relevant under *McKennon v. The Nashville Banner*, 513 U.S. 352 (1995).

With that understanding the parties advised that they believed they had resolved the question on which they requested the Court's guidance.

The Court will note for the benefit of the parties that when preparing the final pretrial order the Court may well bifurcate liability from damages in order to simplify consideration of the tape recordings in question.

The parties advised that they believe this case may take four or five days to try.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge